

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO

JESUSITA AGUIRRE

Plaintiff,

v.

Civ. No. 18-153 WJ/GBW

ATRIUM MEDICAL CORPORATION, *et al.*,

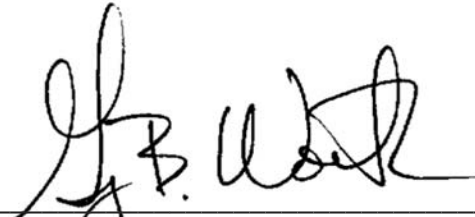
Defendants.

**ORDER VACATING RULE 16 SCHEDULING CONFERENCE**

This matter comes before the Court upon a review of the docket. On July 9, 2019, the court issued an Initial Scheduling Order which *inter alia* set a Rule 16 scheduling conference for August 27, 2019. *See doc. 45.* Subsequently, the parties filed a Joint Motion to Set Jurisdictional Schedule which the Court granted. *See doc. 52.* As a result, an initial discovery schedule was established to address a jurisdictional question with respect to Defendant Maquet Cardiovascular, LLC. *See docs. 52, 53.* That schedule permits jurisdictional discovery through October 15, 2019 and anticipates a briefing schedule for a renewed motion to dismiss. *See id.* Given the jurisdictional nature of this phase of discovery, the Court concludes that a Rule 16 conference to establish deadlines for merits discovery would be premature at this time. Consequently, the Rule 16 scheduling conference set on August 27, 2019 is hereby VACATED. Another scheduling conference will be set after the conclusion of the jurisdictional discovery.

Should any party wish to have a scheduling conference prior to that time, they may file a motion making such a request.

**IT IS SO ORDERED.**



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GREGORY B. WORMUTH  
UNITED STATES MAGISTRATE JUDGE